REMARKS

This Amendment is in response to the Office Action dated August 3, 2001. Claims 3, 6, and 7 are amended. Claims 3-7 remain in the application for consideration.

35 U.S.C. § 112, Second Paragraph Rejections:

The Examiner rejected claims 3, 6, and 7 as being indefinite. Specifically, claims 3 and 6 were rejected as lacking antecedent basis regarding the phrases "said concentric tube walls" and "said frame", respectively. Claim 7 was rejected as indefinite with respect to the phrase "concentric tube walls" and its relation to claim 3.

The above amendments to claims 3, 6, and 7 are believed to overcome the Examiner's 35 U.S.C. § 112 rejections. The element "tube walls" has been added to claim 3 to overcome the antecedent basis rejections. Previously, claim 6 erroneously depended from claim 3. By the amendment made above, claim 6 now correctly depends from claim 4 thereby obviating the antecedent basis rejection. Both the amendment to claim 3 and the minor amendment to claim 7 above clarify the relationship between claims 3 and 7 with respect to the phrase "tube walls."

35 U.S.C. § 102(b) Rejections:

The Examiner rejected claims 3-7 as being anticipated by Nerad (U.S. Patent No. 3,150,944). However, the applicant submits that the minor claim amendments made above overcome the 35 U.S.C. § 102(b) rejections.

The last paragraph of claim 3 has been amended to now read "said entrance path formed in said housing and communicating with said flow path via said outermost tube of said hollow arm" (underlined portion added in amendment above). A review of Fig. 1 in Nerad shows that the waste material in Nerad does not enter the hollow arm portion of the device via the outermost tube but rather via an interior tube. As illustrated in Fig. 14. as well as several other figures in the present application, waste material enters the

hollow arm of the present inventive device via the outermost tube. Unlike the present inventive device, the device in Nerad essentially includes an outermost tube that is *not directly in communication with the housing entrance path.* In Nerad, the outermost tube is in communication with the housing entrance path *via an interior tube.* The present inventive device improves upon Nerad by allowing the waste stream to flow *directly from the housing entrance path to the outermost tube* thereby reducing the overall number of tubes utilized in the hollow arm portion of the device.

Therefore, this limitation offers additional utility over the Nerad device. Because Nerad fails to teach an outermost tube in direct communication with a housing entrance path, Nerad fails to teach or suggest the present inventive device. Accordingly, it is respectfully requested that the anticipation rejection of claim 3 be withdrawn. In addition, because claims 4-7 depend from claim 3, for at least the same reasons that claim 3 is not anticipated or rendered obvious, it is respectfully requested that the anticipation rejections of claims 4-7 be withdrawn.

35 U.S.C.§ 103 Rejections:

Claims 6 is rejected as being obvious over Nerad in view of Coleman. By the amendments made above, claim 6 is believed to overcome the obviousness rejection. Neither Nerad nor Coleman teach or suggest an outermost tube in direct communication with a housing entrance path. In addition, because independent claim 3 is believed to be allowable, claim 6, which depends from claim 3, is also believed to be allowable. Therefore, the applicant respectfully requests the withdrawal of the claim 6 rejection.

Claims 8-12:

The applicant acknowledges the Examiner's constructive election of claims 3-7 and the withdrawal of claims 8-12. The applicant reserves the right to prosecute claims 8-12 in a separate continuation or divisional application.

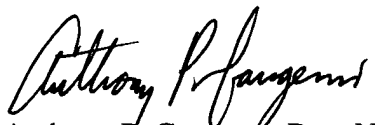
Conclusion

In light of the above, claims 3-7 of this application are believed to be allowable. Allowance is respectfully requested. If any fees or petitions are required or associated with this Amendment, consider this a petition therefor and charge Deposit Account No. 04-1415 the required additional amount. If the Examiner finds any issue that may be resolved in a telephone conference, please do not hesitate to contact the undersigned.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

Dated this 3rd day of October, 2001.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES

In the Claims:

Claims 3, 6, and 7 have been amended as follows:

3. (Amended) A centrifuge for decanting lighter material from heavier material from a mixture of initial material, the centrifuge comprising:

a housing including a central body, said central body defining an axis;

a hollow arm extending from said central body, said arm including a first end attached to said central body, and a second end extending away from said central body, said hollow arm defining a chamber including tubes, said tubes defining walls;

a baffle attached to said central body and extending into said chamber, said baffle defining a flow path between said [concentric] tube walls within said chamber;

said flow path including a first exit path for guiding said lighter material out of said housing and a second exit path for guiding said heavier material through said housing; and

an entrance path for receiving the mixture of initial material, said entrance path formed in said housing and communicating with said flow path via said outermost tube of said hollow arm.

6. (Amended) The centrifuge of claim [3] 4, further comprising:

a drive motor for providing rotational motion; and

a ring gear coupled to said housing for engagement with said drive motor, said ring gear adapted to convert rotational motion of said drive motor to rotations of said housing within said frame.

7. (Amended) The centrifuge of claim 3, wherein said chamber has an inner portion and an outer portion and wherein [said baffle defines concentric tube walls where] said [concentric] tube walls become progressively shorter from said inner portion of said chamber to said outer portion of said chamber.

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